

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

CAREER COLLEGES & SCHOOLS OF
TEXAS,

Plaintiff,

v.

U.S. DEPARTMENT OF EDUCATION, *et al.*,

Defendants.

Case No. 1:23-cv-00433-RP

DEFENDANTS' UNOPPOSED MOTION TO FILE EXCESS PAGES

Defendants respectfully request, with the consent of Plaintiff Career Colleges and Schools of Texas (CCST), leave to file a 40-page brief in opposition to CCST's motion for a preliminary injunction. As set forth below, good cause exists to grant this motion.

1. On February 28, 2023, CCST filed an 84-page, 303-paragraph complaint in the Northern District of Texas. ECF No. 1. The complaint challenges several aspects of a lengthy Department of Education rule addressing the federal student loan programs. *See* 87 Fed. Reg. 65,904 (Nov. 1, 2022).

2. On April 5, 2023, CCST moved for a preliminary injunction and filed a 25-page brief in support. ECF No. 24

3. Subsequently, the case was transferred to this Court, ECF No. 33, and Defendants response to CCST's preliminar- injunction motion is due on May 15, 2023, *see* Apr. 25, 2023 Minute Order.

4. CCST's preliminary injunction motion seeks relief on multiple claims and builds upon the allegations asserted in CCST's lengthy, 84-page complaint. Defendants respectfully submit that the extension requested in this motion would allow them to prepare a brief that adequately addresses

the relevant regulatory history and context, appropriately responds to the numerous and important issues raised in CCST's motion, and is as helpful to the Court as possible in its consideration of CCST's request for extraordinary nationwide injunctive relief.

5. Undersigned counsel for Defendants have conferred with counsel for CCST, who consent to the relief requested in this motion.

6. For the foregoing reasons, Defendants respectfully request that the Court the attached proposed order permitting them to file a brief of up to 40 pages in opposition to CCST's motion for a preliminary injunction.

Dated: May 11, 2023

Respectfully submitted,

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/s/ R. Charlie Merritt

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically via the Court's ECF system, which sent notification of such filing to counsel of record.

/s/ R. Charlie Merritt